



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/717,057	11/21/2000	Michael Brines	10165-010-999

CONFIRMATION NO. 5119

20583  
PENNIE AND EDMONDS  
1155 AVENUE OF THE AMERICAS  
NEW YORK, NY 100362711

## FORMALITIES LETTER



\*OC000000005889362\*

Date Mailed: 03/22/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/06/2001 ETULU1 00000032 161150 09717057

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04-05-01 #3 Sector #

Express Mail No. EL 501 638 359 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines et al.

Application No.: 09/717,057

Group Art Unit: Not yet assigned

Filed: November 21, 2000

Examiner: Not yet assigned

For: MODULATION OF EXCITABLE  
TISSUE FUNCTION BY  
PERIPHERALLY ADMINISTERED  
ERYTHROPOIETIN

Attorney Docket No.: 10165-010-999

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Assistant Commissioner for Patents  
**Box Missing Parts**  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, Filing Date Granted ("Notice"), dated March 22, 2001, Applicants submit herewith: (1) a copy of the Notice; and (2) a copy of the signed Declaration of the parent application Serial No. 09/547,220, filed April 11, 2000, which was filed with the PTO on February 22, 2001.

In accordance with the Notice, the basic filing fee is now due. Applicants estimate this fee amounts to \$65.00. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A duplicate copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date: April 4, 2001

Laura A. Coruzzi 30,742  
Laura A. Coruzzi (Reg. No.)

By: Eileen E. Falvey 46,097  
Eileen E. Falvey (Reg. No.)

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Enclosures